

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION**

ANTHONY MARQUIS THOMAS

PLAINTIFF

v.

No. 1:21CV22-JMV

**LEE COUNTY
SGT. SMOTHERMAN**

DEFENDANTS

ORDER OF DISMISSAL

The court takes up, *sua sponte*, the dismissal of this cause. On August 17, 2021, the court entered a scheduling order, which contained a provision requiring the plaintiff, within 14 days, to sign and return a form acknowledging receipt of the order. The court cautioned the plaintiff that failure to do so would result in the dismissal of this case without prejudice. The plaintiff missed that deadline, but supplied the court with a new address, and, on December 22, 2021, the Clerk's Office sent a second copy of the order and acknowledgment form to the address the plaintiff supplied. That mail was returned as undeliverable. The plaintiff has not kept the court informed of his current address – and has thus failed to comply with the court's order. In addition, the case cannot proceed, as the court can no longer correspond with the plaintiff. This case is therefore **DISMISSED** without prejudice for failure to prosecute and for failure to comply with an order of the court under FED. R. CIV. P. 41(b).

SO ORDERED, this, the 28th day of April, 2022.

/s/ Jane M. Virden
UNITED STATES MAGISTRATE JUDGE